

(Caption of Case)

IN RE:
Happy Rabbit, LP on Behalf of,

Windridge Townhomes, Complainant,

v.

Alpine Utilities, Inc., Respondent

BEFORE THE
PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA

COVER SHEET

DOCKET
NUMBER: 2008 - 360 - S

(Please type or print)

Submitted by:	Richard L. Whitt	SC Bar Number:	62895
Address:	Austin & Rogers, P.A.	Telephone:	803-251-7442
	508 Hampton Street, Suite 300	Fax:	803-252-3679
	Columbia, South Carolina 29201	Other:	803-256-4000
		Email:	rlwhitt@alrlaw.com

NOTE: The cover sheet and information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law. This form is required for use by the Public Service Commission of South Carolina for the purpose of docketing and must be filled out completely.

DOCKETING INFORMATION (Check all that apply)

☐ Emergency Relief demanded in petition ☐ Request for item to be placed on Commission's Agenda expeditiously

Other: Routine

INDUSTRY (Check one)	NATURE OF ACTION (Check all that apply)		
<input type="checkbox"/> Electric	<input type="checkbox"/> Affidavit of Publication	<input type="checkbox"/> Letter	<input type="checkbox"/> Request
<input type="checkbox"/> Electric/Gas	<input type="checkbox"/> Agreement	<input type="checkbox"/> Memorandum	<input type="checkbox"/> Request for Certifica
<input type="checkbox"/> Electric/Telecommunications	<input type="checkbox"/> Answer	<input type="checkbox"/> Motion	<input type="checkbox"/> Request for Investigat
<input type="checkbox"/> Electric/Water	<input type="checkbox"/> Appellate Review	<input type="checkbox"/> Objection	<input type="checkbox"/> Resale Agreement
<input type="checkbox"/> Electric/Water/Telecom.	<input type="checkbox"/> Application	<input type="checkbox"/> Petition	<input type="checkbox"/> Resale Amendment
<input type="checkbox"/> Electric/Water/Sewer	<input type="checkbox"/> Brief	<input type="checkbox"/> Petition for Reconsideration	<input type="checkbox"/> Reservation Letter
<input type="checkbox"/> Gas	<input type="checkbox"/> Certification of Mailing	<input type="checkbox"/> Petition for Rulemaking	<input type="checkbox"/> Response
<input type="checkbox"/> Railroad	<input type="checkbox"/> Comments	<input type="checkbox"/> Petition for Rule to Show Cause	<input type="checkbox"/> Response to Discove
<input checked="" type="checkbox"/> Sewer	<input type="checkbox"/> Complaint	<input type="checkbox"/> Petition to Intervene	<input type="checkbox"/> Return to Petition
<input type="checkbox"/> Telecommunications	<input type="checkbox"/> Consent Order	<input type="checkbox"/> Petition to Intervene Out of Time	<input type="checkbox"/> Stipulation
<input type="checkbox"/> Transportation	<input checked="" type="checkbox"/> Discovery	<input type="checkbox"/> Return	<input type="checkbox"/> Subpoena
<input type="checkbox"/> Water	<input type="checkbox"/> Exhibit	<input type="checkbox"/> Promotion	<input type="checkbox"/> Tariff
<input type="checkbox"/> Water/Sewer	<input type="checkbox"/> Expedited Consideration	<input type="checkbox"/> Proposed Order	<input type="checkbox"/> Other
<input type="checkbox"/> Administrative Matter	<input type="checkbox"/> Interconnection Agreement	<input type="checkbox"/> Protest	
<input type="checkbox"/> Other:	<input type="checkbox"/> Interconnection Amendment	<input type="checkbox"/> Publisher's Affidavit	
	<input type="checkbox"/> Late-Filed Exhibit	<input type="checkbox"/> Report	

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-360-S

IN RE:)
Happy Rabbit, LP on Behalf of,)
Windridge Townhomes,)
)
Complainant,)
v.)
)
Alpine Utilities, Inc.,)
Respondent.)
_____)

**COMPLAINANT'S
THIRD SET OF
REQUESTS FOR PRODUCTION**

TO: Respondent Alpine Utilities, Inc., (hereinafter, "Respondent Alpine" or "Respondent") and its attorney of record, Benjamin P. Mustian.

Complainant, Happy Rabbit, LP on Behalf of Windridge Townhomes, (hereinafter, "Happy Rabbit"), through counsel, hereby requires the above-named Respondent to produce, within twenty (20) days after the service hereof, in accordance with 26 S.C. Code Ann. 103-833.C (Supp. 2007) and other applicable Commission rules and regulations. This Set of Requests for Production shall be deemed continuing, and if complete production to any of them is not presently available, and the information becomes available before trial, supplemental production is required at such time as this information becomes available to Respondent.

IF YOU CONTEND THAT ANY OF THE REQUESTED MATERIAL NEED NOT BE PRODUCED, IDENTIFY SUCH MATERIAL AND SET FORTH THE BASIS FOR YOUR CONTENTION IN ACCORDANCE WITH 26 S.C. CODE OF ANN. REGS. R. 103-833.C (SUPP. 2007) AND THE RULES AND REGULATIONS OF THIS COMMISSION.

DEFINITIONS

As used herein, the following terms shall have the meaning and be interpreted as set forth below:

1. "You" or "your" shall refer to Respondent, its successors, assigns, representatives, partners, agents, consultants, experts, and attorneys, if any.
2. Respondent shall refer to Alpine Utilities, Inc. and includes its business divisions, operating divisions, assigns, representatives, partners, agents, consultants, experts, and attorneys, if any.

3. The conjunctions "and" and "or" shall be interpreted in each and every instance as meaning "and/or" and shall in neither instance be interpreted disjunctively to exclude any document or information otherwise within the scope of any description or request made herein.

4. "Document" shall mean all originals of any nature whatsoever, identical copies and all non-identical copies thereof, pertaining to any medium upon which intelligence or information is recorded in your possession, custody or control, or other tangible objects regardless of where located; including, without limiting the generality of foregoing, punch cards, print-out sheets, movie film, slides, photographs, records, microfilm, notes, letters, memoranda, ledgers, worksheets, books, magazines, notebooks, diaries, calendars, appointment book registers, charts, cable, papers, agreements, contracts, purchase orders, acknowledgements, invoices, authorizations, budgets, analyses, projections, transcripts, minutes of meeting of any kind, correspondence, telegrams, drafts, data processing disks or tapes, or computer-produced interpretations thereof, instructions, announcements, schedules, and price list. In all cases where originals and/or non-identical copies are not available, "document" also means identical copies of original documents and copies of non-identical copies.

5. Any reference to Complainant includes previous owner, Carolyn L. Cook.

6. "Windridge Townhomes" shall refer to the duplexes, neighborhood, subdivision or other development located in the 3300 Block of Kay Street, Columbia, Richland County, South Carolina.

7. All references to the singular contained herein shall be deemed to include the appropriate plural number and all references to the plural shall be deemed to include the singular. All references to the masculine gender contained herein shall be deemed to include the appropriate feminine and neuter genders.

8. "Properties" means a utility sewer service location for Alpine of any type, size, location, or configuration.

INSTRUCTIONS

IT IS HEREIN REQUESTED:

1. That all information shall be provided to the undersigned in the format as requested.
2. That all responses to the below Requests for Production shall be labeled using the same numbers as used herein.
3. That if the requested information is found in other places or in other exhibits, reference not be made to those, but, instead, that the information be reproduced and placed in the responses to these Requests for Production in the appropriate sequence.
4. That any inquiries or communication relating to questions concerning clarifications of the data requested below be directed to the undersigned.

5. That all exhibits be reduced to an 8 1/2" x 11" format.
6. That each Request be reproduced at the beginning of the response thereto.
7. That Respondent provide the undersigned with responses to these Requests for Production as soon as possible but **not later than twenty (20) days from the date of service hereof.**
8. If the response to any Requests for Production is that the information requested is not currently available, state when the information requested will become available.
9. These Requests for Production shall be deemed continuing so as to require Respondent to supplement or amend their responses as any additional information becomes available up to and through the date of trial.
10. If a privilege not to answer a Request is claimed, identify each matter as to which the privilege is claimed, the nature of the privilege, and the legal and factual basis for each such claim.
11. If a refusal to respond to a Request is based on the grounds that same would be unduly burdensome, identify the number and nature of documents needed to be searched, the location of the documents, and the number of hours and costs required to conduct the search.
12. Answer each Request on the basis of the entire knowledge of Respondent, including information in the possession of Respondent or its consultants, representatives, agents, experts, and attorneys, if any.
13. If any Request cannot be answered in full, respond to the extent possible and specify the reasons for Respondent's inability to produce.

REQUESTS FOR PRODUCTION

- 3.1 Please produce a copy of the, "assignment document" described in Robin Dial's Direct Testimony on page four, lines twelve through thirteen.
- 3.2 Please produce a copy of the, "assignment document" referenced in Robin Dial's Direct Testimony on page four, lines nineteen through twenty-one.
- 3.3 Please produce a copy of the, "agreement" referenced in Robin Dial's Direct Testimony on page five, lines fifteen through seventeen.
- 3.4 Please produce a copy of the, "assignment document" referenced in Robin Dial's Direct Testimony on page six, lines one through two.
- 3.5 Please produce a copy of the, "assignment document" referenced in Robin Dial's Direct Testimony on page eight, lines two through three.

3.6 Please produce a copy of the, "documents" referenced in Robin Dial's Direct Testimony on page eight, lines sixteen through twenty.

3.7 Please produce a copy of the, "written agreement" referenced in Robin Dial's Direct Testimony on page fourteen, lines eighteen through twenty-one.

3.8 Please produce a copy of the, "Agreement" referenced in Robin Dial's Surrebuttal Testimony, on page two, lines eleven through thirteen.

3.9 Please produce copies of any documents responsive to Complainant's Third Set of Interrogatories.

AUSTIN & ROGERS, PA

/s/

Richard L. Whitt
508 Hampton Street, Suite 300
Columbia, South Carolina 29201
(803) 251-7442
Attorney for Complainant

Columbia, South Carolina

RLW/jjy

March 24, 2009

BEFORE
THE PUBLIC SERVICE COMMISSION
OF SOUTH CAROLINA
DOCKET NO. 2008-360-S

IN RE:

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Windridge Townhomes,

Complainant,

v.

Alpine Utilities, Inc.,

Respondent

CERTIFICATE OF SERVICE

I, Jessica Yun, an employee of Austin & Rogers, P.A., certify that I mailed a copy of Happy Rabbit's Third Set of Requests for Production in the above referenced matter as indicated below, via U.S. Mails as addressed below, with proper postage affixed thereto, or e-mail on March 24, 2009.

Attorney Benjamin P. Mustian
P.O. Box 8416
Columbia S.C., 29202-8416
Via U.S. Mail

Nanette S. Edwards, Esquire
Via e-mail

Austin & Rogers, P.A.

/S/
Jessica Yun

Columbia, South Carolina
March 24, 2009